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03-94-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bastue, et al. Examiner: Roy M. Punnoose
Serial No.: 09/928159 ✓ Group Art Unit: 2872
Filed: August 10, 2001 Docket No.: 01485.0015-US-01
(Previously 980.1108US01)
Confirmation No.: 5649
Title: ALIGNMENT OF MULTI-CHANNEL DIFFRACTIVE WDM DEVICE

CERTIFICATE UNDER 37 C.F.R. 1.10:

'Express Mail' mailing number: EL 984580964 US

Date of Deposit: March 22, 2004

The undersigned hereby certifies that this Transmittal Letter and the paper or fee, as described herein, are being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Cheryl L. Millman
Cheryl L. Millman

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

- ☒ This Certificate of Express Mailing
- ☒ Request After Allowance For Examiner to Acknowledge Consideration of References
- ☒ Copy of postcard receipt for Supplemental Information Disclosure Statement as date stamped by the USPTO
- ☒ Copy of Supplemental Information Disclosure filed on February 6, 2003, including Transmittal Sheet, a Supplemental Information Disclosure Statement and accompanying PTO Form 1449, and copies of 3 of the cited references not otherwise acknowledged
- ☒ Return postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date: March 22, 2004

By: David H. Carroll
David H. Carroll
Reg. No. 29,903
DHC/mar



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By: *Cheryl L. Millman*
Cheryl L. Millman

**REQUEST AFTER ALLOWANCE FOR EXAMINER TO ACKNOWLEDGE
CONSIDERATION OF REFERENCES**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EL 984580964US

Sir:

In the Notice of Allowability accompanying the Notice of Allowance and Fee(s) Due dated March 5, 2004, the examiner returned copies of Forms 1449 submitted in applicants' Information Disclosure Statements filed on December 12, 2002, January 8, 2003, January 16, 2003, and October 27, 2003, and acknowledged consideration of the documents listed therein. However, the Form 1449 accompanying applicants' Supplemental Information Disclosure Statement filed on February 6, 2003, was not included with the Notice of Allowability. Applicants respectfully request the examiner to return a copy of the missing Form 1449, with all listed documents initialed to indicate consideration thereof.

The Form 1449 in question lists U.S. Patent Number 6,137,933, U.S. Patent Number 6,269,203, International Publication No. WO 02/067475 A2, and an article by Churin et al. entitled "*Passband flattening and broadening techniques for high spectral efficiency wavelength demultiplexers*", ELECTRONIC LETTERS, January 7, 1999, Vol. 35, No. 1. While U.S. Patent Number 6,137,933 previously was cited on an Information Disclosure Statement filed January 8, 2003, and was acknowledged therein, applicants have not received notification that the remaining three documents have been considered. Accordingly, the examiner respectfully is requested to initial the listed documents USP 6,269,203, WO 02/067475 A2, and the Churin et al. article for the record, and return a copy to applicants.

The absence of an initialed copy of Form 1449 is believed to be an oversight, as these references were submitted in a conforming manner and was not mentioned in the examiner's statement of reasons for allowance as not being in conformance and not having been considered. Applicants' records further indicate that the Information Disclosure Statement in question was received by the Office, as evidenced by a stamped post card receipt attached to this Request.

Copies of the relevant sheets of the Supplemental Information Disclosure Statement in question and of the references are enclosed to avoid any confusion.

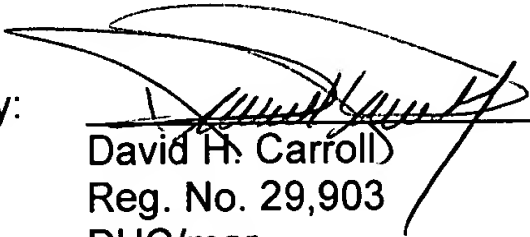
The examiner respectfully is requested to telephone the undersigned if there is any question about the Request.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date: March 22, 2004

By:



David H. Carroll
Reg. No. 29,903
DHC/mar



Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office

Date of Deposit: February 6, 2003

Applicant: Jens Bastue

Title: ALIGNMENT OF MULTI-CHANNEL DIFFRACTIVE WDM DEVICE

Serial Number: 09/928159

Filing Date: August 10, 2001

Docket Number: 01485.0015-US-01

- ☒ Supplemental Information Disclosure Statement, Form 1449, copies of 4 reference(s)
- ☒ Transmittal Sheet
- ☒ Return postcard



IAM/vlb



22865
PATENT TRADEMARK OFFICE



Serial No. 09/928159

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jens Bastue

Examiner: Unknown

Serial No.: 09/928159

Group Art Unit: 2872

Filed: August 10, 2001

Docket No.: 01485.0015-US-01

Title: ALIGNMENT OF MULTI-CHANNEL DIFFRACTIVE WDM DEVICE

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on February 6, 2003.

Iain A. McIntyre
Name

Signature

Supplemental Information Disclosure Statement Under 37 C.F.R. §1.97(b)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant(s) respectfully submit(s) the items of information on the enclosed Form 1449 for the attention of the Examiner in the above-identified application.

This statement should be considered because it is filed before the mailing date of the first Office Action on the merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2) and/or a copy of each document is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in a parent application in accordance with 37 C.F.R. §1.98(d).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicant(s) do(es) not represent that a reference

has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicant(s) request(s) that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC

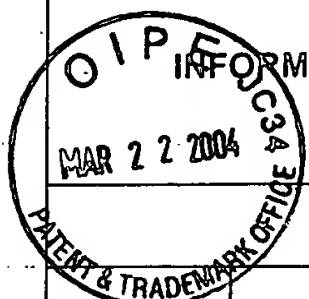


Date: February 6, 2003

By:

A handwritten signature in black ink, appearing to read 'Iain A. McIntyre', written over a horizontal line.

Iain A. McIntyre
Reg. No. 40,337
IAM/vlb



INFORMATION DISCLOSURE STATEMENT

PTO Form 1449

Docket Number
01485.0015-US-01

Serial Number
09/928159

Applicant(s)
Jens Bastue

Filing Date
8/10/2001

Group Art Unit
2872

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE (IF APPROPRIATE)
		6,137,933	10/24/00	Hunter et al.			
		6,269,203	07/31/01	Davies et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
		WO 02/067475 A2	08/29/02	WIPO				

OTHER DOCUMENTS

		Churin et al., "Passband flattening and broadening techniques for high spectral efficiency wavelength demultiplexers", <u>ELECTRONIC LETTERS</u> , January 7, 1999, Vol. 35, No. 1.
		International Search Report for PCT/EP02/09295

Examiner:

Date Considered: